

Amendment After Final Rejection  
Serial No. 09/741,926

PHN 17,871

### REMARKS

Applicant respectfully requests reconsideration, and for the remarks made herein withdrawal of the rejections and the issuance of a Notice of Allowance.

Claims 1-14 are pending and stand rejected.

Claims 1-14 stand rejected under 35 USC 103(a) as being unpatentable over Horvitz (USP No. 6,067,565) in view of Kulkarni (USP No. 6,310,630). It is the examiner's position that Horvitz teaches a device for presenting information units, comprising history means for storing references to presentable information units into a history list. The examiner infers that the history list is a container that contains a list of web pages, which are previously viewed by the user. The examiner further states that Horvitz allows the user to view the pre-fetched web pages and that would change the position of the web pages that were previously viewed by the user. However, Horvitz fails to teach storing the reference of said set [of web pages] according to the time of their inclusion. Kulkarni teaches storing the references of said set according to the time of their inclusion. It would be obvious to include the teachings of Kulkarni in Horvitz's device in order to allow the users to view their browsing history in chronological order.

Applicant respectfully disagrees with, and explicitly traverses the examiner's reasons for rejecting the claims.

Horvitz, as read by applicant, relates to a technique for prefetching a web page of potential future interest that may be subsequently selected by the user or that contain content that may be of future interest to the user based upon current and/or prior interaction of the user. Horvitz teaches that a probabilistic or statistical user model is used to prefetch information including, for example, web pages. In this case, when viewing a first web page, the user probabilistic model interprets the links on the currently viewed web page and downloads information associated with the links based on the user model. Hence, Horvitz discloses a method of obtaining web pages for future access by the user and does not consider maintaining a list of previously viewed pages as inferred by the examiner.

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The probabilistic user model is based on factors such as "content and structure of [a] particular web page, a history of web pages visited by the user, [the] user background and user actions" (see col. 1, lines 20-22). The user model is discussed in more detail in col. 4, lines 10-17, which state in part, "[t]he user model can rely on, e.g., a function(s) of current page structure and content, recent sequences of pages downloaded to the user, descriptions of long-term or short-term interest of the user, user background, the behavior of the user in interacting with the computer or previously downloaded content and one or more usage statistics available from a server or from the user's computer." Hence, the model does not provide for the storage of previously viewed pages but rather only the knowledge of which pages were viewed.

The pre-fetching or prediction of future, web pages is more clearly discussed in col. 8, lines 39-50, which state, in part, "[t]he particular pages that are pre-fetched are determined through a user model as being those, given a page which a user is currently viewing or a sequence of pages visited, would provide the largest benefit [to the user]... In that regard, the model provides a URL for each page in a set of pages and a corresponding estimate of the likelihood that during a current session, a user will access each of those particular pages for viewing." (emphasis added). Furthermore, "[a]s successive web pages are selected by the user and displayed, the user model is updated through consideration of the current page; thereafter new pages may be prefetched and so on." (see col. 9, lines 4-6). Hence, only the viewed pages are used for updating the model.

Accordingly, contrary to the examiner's position, Horvitz fails to disclose material elements of the invention as recited in claim 1, for example. More specifically, Horvitz fails to teach or suggest "a history list," "user operable navigation means for changing a current position in the history list," and "compiling a set of reference ... includ[ing] both previously viewed and un-viewed information items and **storing the references ... according to the time of their inclusion into the history list,**" as is recited in the claim. Horvitz fails to disclose **storing the references** because Horvitz uses the **previously viewed** information, only, to refine the model and then prefetches web pages based on the model generated.

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As the examiner noted a history list may be inferred from the Horvitz model. However, a history list and a probabilistic model are two distinctive elements. The former is a list of the elements (and stored in a time sequence), which, in this case, may be individually viewed, while the latter uses the information associated with the elements retrieved on the viewed web pages to determine a potential next web page to be accessed. Horvitz fails to teach or suggest that the information in the model may be accessed by the user.

Secondly, Horvitz also fails to teach or suggest any "user operable navigation means for changing a current position" as is recited in the claim. Rather, Horvitz teaches using a back and forward button on the web browser, which the examiner infers is the same as "operable navigation means." However, the back and forward web buttons allow a user to proceed through a sequential list of web pages and not necessarily a list that is sorted in a time sequence. Further, the back and forward web buttons fails to disclose changing a current position in the list. Accordingly, use of the back and forward browser buttons is not the same as "operable navigation means for changing a current position," as is recited in the claims.

Furthermore, the prefetched web pages are stored in the memory only for that period that the web pages may be of any value to the user. For example, Horvitz states that "[w]hen limits are reached in local memory, based on memory allocated for prefetching, content cached through earlier prefetched pages can be over-written by files for a current set of prefetched pages, where the least valuable pages are targeted for replacement." (see col.9 lines 7-10). Horvitz fails to provide any motivation to store the web pages in time as pages are obtained based on the likelihood of their being accessed and discarded if the pages are of low value to the user.

Kulkarni, as read by applicant, disclose a data processing system for generating browser histories. Kulkarni further discloses that the visited pages are stored in inverse chronological order (see col. 6, lines 45-46.) However, Kulkarni merely discloses a conventional means for storing and formatting visited web pages. Kulkarni fails to disclose or suggest any "user operable navigation means for changing a current position in the history list" or "viewed and un-viewed information units," as is recited in the claims.

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A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Horvitz and Kulkarni individually fail to disclose or suggest elements recited in the claims. Hence, even if the references were combined, as suggested by the examiner, the combination of Horvitz and Kulkarni would not render obvious the present invention as is recited in claim 1 because the combined would not include all the elements recited in the claims.

Having shown that the combination of Horvitz and Kulkarni fails to disclose all the elements recited in the claims, applicant respectfully submits that the reason for the examiner's rejection has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to claim 7, this claim recites a method that includes subject matter similar to that recited in claim 1 and has been rejected by the examiner citing the same reference used in rejecting claim 1. Accordingly, the applicant's remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of claim 7. In view of the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of claim 7, applicant submits that the reason for the rejection of claim 7 has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to claims 2-6 and 8-14, these claims ultimately depend from independent claims 1 and 7, respectively, which have been shown not to be obvious and allowable in view of the cited references. Accordingly, the aforementioned claims are also allowable by virtue of their dependence from an allowable base claim.

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For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

Dan Piotrowski  
Registration No. 42,079



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By: Steve Cha  
Attorney for Applicant  
Registration No. 44,069

**Mail all correspondence to:**  
Dan Piotrowski, Registration No. 42,079  
US PHILIPS CORPORATION  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001  
Phone: (914) 333-9624  
Fax: (914) 332-0615